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JUL 20 2006

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## **FACSIMILE COVER SHEET**

Deliver to: My Chau T Tran, USPTO Art Group: 1639  
Facsimile No.: (571) 273-8300 Date: July 20, 2006  
From: Brent E. Vecchia, Reg. No. 48,011  
Our Docket No.: 42P13119D Number of pages 9 including this sheet.  
Application No.: 10/763,674 Filing Date: 1/22/2004  
Docket Due Date(s): 8/10/2006

**Enclosed are the following documents:**

**Amendment:** Restriction ( .5 pgs)

**Appeal Brief** ( \_\_\_\_ pgs)

**Application:** \_\_\_\_\_  
( \_\_\_\_ pgs) w/cover & abstract)

**Assignment & Cover Sheet** ( \_\_\_\_ pgs)

**Certificate of Facsimile** \_\_\_\_\_

**Continued Prosecution Application (CPA)**

**Declaration & POA** ( \_\_\_\_ pgs)

**Drawings:** \_\_\_\_ sheets, \_\_\_\_ figures

**Extension of Time:** \_\_\_\_\_

**Fee Transmittal** (in duplicate)

**IDS & PTO/SB/08** ( \_\_\_\_ pgs)

**Other** \_\_\_\_\_

**Issue Fee Transmittal**

**Notice of Appeal**

**Petition for:** \_\_\_\_\_

**Request for Continued Examination (RCE)**

**Reply Brief** ( \_\_\_\_ pgs)

**Request & Certification Under 35 USC 122(b)(2)(B)(i)**

**Request to Rescind Previous Nonpublication Request**

**Response to Notice of Missing Parts & Formalities Letter**

**Response to Written Opinion** ( \_\_\_\_ pgs)

**Terminal Disclaimer**

**Transmittal of Publication Fee Due**

**Transmittal Letter**

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

*I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.*

Pat Sullivan 7/20/2006  
Pat Sullivan Date

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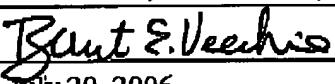
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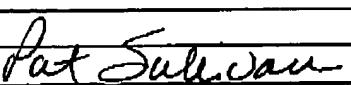
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JUL 20 2006

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/763,674
		Filing Date	January 22, 2004
		First Named Inventor	Eric C. Hannah
		Art Unit	1639
		Examiner Name	My Chau T Tran
Total Number of Pages in This Submission	9	Attorney Docket Number	42P13119D

<b>ENCLOSURES (check all that apply)</b>			
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <div style="border: 1px solid black; padding: 5px; min-height: 40px;">Facsimile Transmittal Sheet</div>	
		Remarks	

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Brent E. Vecchia, Reg. No. 48,011  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 20, 2006

<b>CERTIFICATE OF MAILING/TRANSMISSION</b>			
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Typed or printed name	Pat Sullivan	Date	July 20, 2006
Signature			

Based on PTO/SB/21 (08-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 11/30/2008.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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JUL 20 2006

FEE TRANSMITTAL  
for FY 2005

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 150.00)

Complete If Known	
Application Number	10/763,674
Filing Date	January 22, 2004
First Named Inventor	Eric C. Hannah
Examiner Name	My Chau T Tran
Art Unit	1639
Attorney Docket No.	42P13119D

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s)  Credit any overpayments  
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

## FEE CALCULATION

## 1. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid
Total Claims	28	- 23* =	5	50.00	=	\$150.00
Independent Claims	1	- 4* =	0	200.00	=	\$0.00
Multiple Dependent					=	

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	300	2203	180	Multiple Dependent claim, if not paid
1204	700	2204	395	**Release independent claims over original patent
1205	300	2205	150	**Release claims in excess of 20 and over original patent
SUBTOTAL (1)			(\$)	150.00

\*or number previously paid, if greater. For Releases, see below

## 2. ADDITIONAL FEES

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
2053	130	2053	130	Non-English specification
1291	120	2251	60	Extension for reply within first month
1292	420	2252	226	Extension for reply within second month
1293	1,020	2253	510	Extension for reply within third month
1294	1,890	2254	795	Extension for reply within fourth month
1295	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	800	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451		2451		Petition to institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)
1808	180	1808	180	Submission of Information Disclosure Stmt
1809	780	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	700	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))
Other fee (specify)				
SUBTOTAL (2)			(\$)	

## Fee Paid

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Brent E. Vecchia	Registration No. (Attorney/Agent)	48,011	Telephone	(303) 740-1980
Signature				Date	07/20/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Our Docket No: 42P13119D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Eric C. Hannah ) Examiner: My Chau T. Tran  
Application No: 10/763,674 ) Art Unit: 1639  
Filed: January 22, 2004 )  
For: Carbon nanotube molecular labels )

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In Response to the Office Action mailed 07/10/2006, the Applicants respectfully request that the Examiner enter the following amendments and consider the following remarks.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that I am causing the above-referenced correspondence to be transmitted via facsimile to the United States Postal Service at (571) 273-8300 on the date indicated below:

July 20, 2006

Date of Transmission

Pat Sullivan

**Name of Person Transmitting Correspondence**

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**Signature**

Date

07/20/2006

Atty Docket No. 42P13119D  
Application No. 10/763,674

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PAGE 5/9 \* RCVD AT 7/20/2006 6:29:14 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-5/12 \* DNI:2738300 \* CSID:303 740 6962 \* DURATION (mm:ss):02-10

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